



1638

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re applications of:

Joseph R. Byrum et al.

Appln. No.:09/669,817

Filed: 09/26/2000

For: Nucleic Acid Molecules and Other Molecules
Associated with Plants

Art Unit: 1638

Examiner: MEHTA,Ashwin D.

Atty. Docket: 38-21(51469)B

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22314-1450

Certificate of Mailing

I hereby certify that this Response to Restriction Requirement , is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on

April 1, 2004

Gracie L. Williams
(Printed name of person signing this certificate)

Gracie L. Williams
(Signature)



Commissioner for Patents
April 1, 2004
Page 1 of 2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: U.S. Utility Patent Application No. 09/669,817
Filed: September 26, 2000
For: Nucleic Acid Molecules and Other Molecules Associated With
Plants
Inventors: Joseph R. Byrum *et al.*
Atty. Docket: 38-21(51469)B

Sir:

Transmitted herewith for appropriate action by the U.S. Patent and Trademark Office (USPTO) are the following documents:

1. Certificate of Mailing for response to restriction requirement;
2. Response to restriction requirement;
3. (1) Return receipt-postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to us. In the event that extensions of time or fees are necessary to prevent abandonment of this application, then such extensions of time or fees are hereby petitioned.

Commissioner for Patents
April 1, 2004
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The Commissioner is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 13-4125, referencing matter number 38-21(51469)B.

Respectfully submitted,



Pamela J. Sisson (Reg. No. 53, 600)

Date: April 1, 2004

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In re Patent Application of:

JOSEPH R. BYRUM *et al.*

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Response to Restriction Requirement

Commissioner for Patents
P.O. Box 1450
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Sir:

In response to the Office Action mailed March 11, 2004, Applicants submit the following remarks.

Remarks

The application presently contains claims 1-9. In the Office Action mailed March 11, 2004, the Examiner required restriction to one of the following inventions under 35 U.S.C. § 121:

Group I: Claims 1-2, drawn to a substantially purified nucleic acid molecule or fragment thereof, classified in class 536, subclass 23.6;

Group II: Claim 3, drawn to a substantially purified protein or fragment thereof, classified in class 530, subclass 370; and